

**Public Participation Opportunity**  
**Tennessee Department of Environment and Conservation (TDEC)**  
**Division of Water Pollution Control**  
**Notice Requesting Public Comments on Draft Permit Actions**

January 12, 2009

Public Notice Number: **MMIX-001**  
Expiration Date: February 16, 2009

*The purpose of this notice is to advise the public of the following proposed permit actions and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment. A list of Notices of Intent (NOIs) that were recently received by the DWPC is available on our web page :*

<http://state.tn.us/environment/wpc/wpcppo/>

**Individual NPDES Permit for Concentrated Animal Feeding Operations**

***Proposed New Issuances***

Applicant Name	<b>Berner Farms</b>			
Permit Number	<b>TN0080691</b>	Permit Writer Initials	<b>EEO</b>	Discharger rating <b>Minor</b>
County	Obion	EFO Name	<b>Jackson</b>	
Street Address/Location	938 Sanders Chapel Road			
City and/or Zip Code	Union City, TN 38261			
Description of Activity	Six house poultry operation (broilers) with 135,600 birds. A copy of the CNMP is available at either the EFO or the TDA Agricultural Center in Nashville.			
Effluent Description	uncontaminated stormwater runoff			
Receiving Stream	various unnamed tributaries to Hoosier Creek			
Facility Latitude	36.434473333	Facility Longitude	-89.1362325	
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Applicant Name	<b>Dunivan Farm</b>			
Permit Number	<b>TN0080594</b>	Permit Writer Initials	<b>EEO</b>	Discharger rating <b>Minor</b>
County	Bedford	EFO Name	<b>Columbia</b>	
Street Address/Location	400 Whitaker Road			
City and/or Zip Code	Shelbyville, TN 37160			
Description of Activity	Four house poultry operation (broilers) with 152,000 birds. A copy of the CNMP is available at either the EFO or the TDA Agricultural Center in Nashville.			
Effluent Description	uncontaminated stormwater runoff			
Receiving Stream	East Rock Creek			
Facility Latitude	35.471167	Facility Longitude	-86.627394	
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Applicant Name	<b>Hendricks Farms</b>			
Permit Number	<b>TN0080756</b>	Permit Writer Initials	<b>EEO</b>	Discharger rating <b>Minor</b>
County	Bradley	EFO Name	<b>Chattanooga</b>	
Street Address/Location	589 Bucks Pocket Rd. SE & 640 White Rd. SE			
City and/or Zip Code	Oldfort, TN 37362			
Description of Activity	Eight house poultry operation (broilers) with 208,000 birds. A copy of the CNMP is available at either the EFO or the TDA Agricultural Center in Nashville.			
Effluent Description	uncontaminated stormwater runoff			
Receiving Stream	Old Fort Creek and unnamed tributary			
Facility Latitude	35.046239	Facility Longitude	-84.765908	

Applicant Name	<b>Kirksey Farm</b>				
Permit Number	<b>TN0080659</b>	Permit Writer Initials	<b>EEO</b>	Discharger rating	<b>Minor</b>
County	Polk	EFO Name	<b>Chattanooga</b>		
Street Address/Location	177 Kirksey Drive				
City and/or Zip Code	Ocoee, TN 37361				
Description of Activity	Six house poultry operation (broilers) with 210,000 birds. A copy of the CNMP is available at either the EFO or the TDA Agricultural Center in Nashville.				
Effluent Description	uncontaminated storm water runoff				
Receiving Stream	unnamed tributary to Ocoee River and Fry Branch to Ocoee River				
Facility Latitude	35.0986	Facility Longitude	-84.7156		

Applicant Name	<b>Russ Jarrell</b>				
Permit Number	<b>TN0080748</b>	Permit Writer Initials	<b>EEO</b>	Discharger rating	<b>Minor</b>
County	Bedford	EFO Name	<b>Columbia</b>		
Street Address/Location	399 Knights Campground Road				
City and/or Zip Code	Shelbyville, TN 37160				
Description of Activity	Ten house poultry operation (broilers) with 314,000 birds. A copy of the CNMP is available at either the EFO or the TDA Agricultural Center in Nashville.				
Effluent Description	uncontaminated stormwater runoff				
Receiving Stream	Snake Creek and Powell Creek				
Facility Latitude	35.440264	Facility Longitude	-86.542725		

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**Proposed Reissuances**

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Applicant Name	<b>County Line Farms</b>				
Permit Number	<b>TN0078913</b>	Permit Writer Initials	<b>EEO</b>	Discharger rating	<b>Minor</b>
County	Bedford	EFO Name	<b>Columbia</b>		
Street Address/Location	350 Helton Road				
City and/or Zip Code	Lewisburg, TN 37091				
Description of Activity	Five house poultry operation (broilers) with 143,000 birds. A copy of the NMP is available at either the EFO or the TDA Agricultural Center in Nashville.				
Effluent Description	uncontaminated stormwater runoff				
Receiving Stream	East Rock Creek				
Facility Latitude	35.500010	Facility Longitude	-86.650005		

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**Individual NPDES Permits**

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**Proposed Reissuances**

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Applicant Name	<b>Etowah STP</b>				
Permit Number	<b>TN0063771</b>	Permit Writer Initials	<b>MTS</b>	Discharger rating	<b>Major</b>
County	McMinn	EFO Name	<b>Chattanooga</b>		
Street Address/Location	275 County Road 850				
City and/or Zip Code	Etowah, TN 37331				
Description of Activity	Treatment of municipal sewage				
Effluent Description	treated municipal wastewater from Outfall 001				
Receiving Stream	Conasauga Creek at mile 8.0				
Facility Latitude	35.280278	Facility Longitude	-84.558333		

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**Proposed Terminations**

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Applicant Name	<b>Modine Manufacturing Company - Clinton</b>				
Permit Number	<b>TN0001376</b>	Permit Writer Initials	<b>VMJ</b>	Discharger rating	<b>Minor</b>
County	Anderson	EFO Name	<b>Knoxville</b>		
Street Address/Location	320 J. D. Yarnell Industrial Parkway				
City and/or Zip Code	Clinton, TN 37716				
Description of Activity	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment - permit termination as manufacturing operations ceased				
Effluent Description	non-contact cooling water from Outfall 002 and non-contact cooling water (emergency discharge) from Outfall 003				
Receiving Stream	Clinch River mile 64.3 for Outfall 002 and Clinch River mile 64.6 for Outfall 003				
Facility Latitude	36.101667	Facility Longitude	-84.103611		

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## State Operation Permits

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### ***Proposed New Issuances***

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Applicant Name	<b>Water and Wastewater Authority of Wilson County-Northgate Business Park Treatment Fac</b>				
Permit Number	<b>SOP-08066</b>	Permit Writer Initials	<b>HVA</b>	Discharger rating	<b>Minor</b>
County	Wilson	EFO Name	<b>Nashville</b>		
Street Address/Location	on US 70 0.7 miles west of the intersection with SR 109				
City and/or Zip Code	Mt. Juliet, TN 37122				
Description of Activity	Septic tank, peat fiber biofilter and 0.08 acre fenced drip irrigation area				
Wastewater Description	No discharge allowed from this system				
Receiving Stream	N/A				
Facility Latitude	36.2333333	Facility Longitude	-86.4416667		

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### ***Proposed Terminations***

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Applicant Name	<b>Pleasant View Coin Laundry</b>				
Permit Number	<b>SOP-96008</b>	Permit Writer Initials	<b>SEF</b>	Discharger rating	<b>Minor</b>
County	Cheatham	EFO Name	<b>Nashville</b>		
Street Address/Location	1020 Industrial Drive				
City and/or Zip Code	Pleasant View, TN 37146				
Description of Activity	Facility is connected to city sewer; terminating permit coverage.				
Wastewater Description	No discharge allowed				
Receiving Stream	unnamed tributary at river mile 3.1 to Sycamore Creek at mile 15.4				
Facility Latitude	36.396388	Facility Longitude	-87.015000		

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## POTW - Pretreatment Program Approvals:

None

The Division of Water Pollution Control is authorized to approve local POTW Pretreatment Programs for the administration and enforcement of the National Pretreatment Standards of Performance for industrial users of the respective Publicly Owned Treatment Works listed in this notice. Additionally, the POTW Programs are required to prevent the introduction of pollutants into the POTW's which will interfere with their operation, including the use or disposal of sludge, and prevent the introduction of pollutants into the POTW's which will pass through the treatment works or be otherwise incompatible. All POTW Pretreatment Programs approved are in accordance with the Tennessee Water Quality Control Act, the federal Clean Water Act, and appropriate regulations.

End of List

### How to Comment:

TDEC is requesting public comment on this permit action. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on the proposed action are invited to submit comments in writing to the Division of Water Pollution Control at 6th Floor, L&C Tower, 401 Church Street, Nashville, TN 37243, Attn: Public Notice Coordinator, by fax number (615) 532-0686, or by E-mail at [environment@state.tn.us](mailto:environment@state.tn.us). Comments must be received by the public notice expiration date (February 16, 2009).

### How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed by the public notice expiration date (February 16, 2009) and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to Division of Water Pollution Control Rule 1200-4-5-.06(12). Public hearings will be announced through another public notice.

### How the Department will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

### To Obtain Permit Details:

Copies of the application(s) and draft permit(s) are also available for public inspection by contacting TDEC at <http://state.tn.us/environment/org/>, by calling 1-888-891-TDEC (8332), or by visiting the following locations during normal business hours:

Environmental Field Office - Chattanooga  
540 McCallie Avenue, Suite 550  
Chattanooga, TN 37402  
(423) 634-5745  
Bledsoe, Bradley, Grundy, Hamilton, Marion, McMinn, Meigs, Polk, Rhea, Sequatchie

Environmental Field Office - Columbia  
2484 Park Plus Drive  
Columbia, TN 38401  
(931) 380-3371  
Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne

Environmental Field Office - Cookeville  
1221 South Willow Avenue  
Cookeville, TN 38506  
(931) 432-4015

Cannon, Clay, Cumberland, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren,  
Warren, White

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Environmental Field Office - Jackson  
1625 Hollywood Drive  
Jackson, TN 38305  
(731) 512-1300

Benton, Carroll, Chester, Crockett, Decatur, De Kalb, Dyer, Gibson, Hardeman, Hardin, Haywood,  
Henderson, Henry, Lake, Lauderdale, Madison, McNairy, Obion, Weakley

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Environmental Field Office - Johnson City  
2305 Silverdale Road  
Johnson City, TN 37601  
(423) 854-5400

Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington

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Environmental Field Office - Knoxville  
3711 Middlebrook Pike  
Knoxville, TN 37921  
(865) 594-6035

Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe,  
Morgan, Roane, Scott, Sevier, Union

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Environmental Field Office - Memphis  
2510 Mt. Moriah Road, Suite E-645  
Memphis, TN 38115  
(901) 368-7939  
Fayette, Shelby, Tipton

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Environmental Field Office - Nashville  
711 R.S. Gass Boulevard  
Nashville, TN 37243  
(615) 687-7000

Ceatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart,  
Sumner, Trousdale, Williamson, Wilson

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**List of WPC Permit Writers**

<b>BJB</b>	Mr. Benjamin Brown	(615) 532-0709	Benjamin.Brown@state.tn.us
<b>BKC</b>	Mr. Brian Canada	(615) 532-0660	Brian.Canada@state.tn.us
<b>DCE</b>	Mr. Dan Eagar	(615) 532-0708	Dan.Eagar@state.tn.us
<b>EEO</b>	Ms. Erin O'Brien	(615) 253-2245	Erin.O'Brien@state.tn.us
<b>GMDa</b>	Mr. Gary Davis	(615) 532-0649	Gary.Davis@state.tn.us
<b>HHH</b>	Mr. Chip Hannah	(615) 532-0713	Hugh.Hannah@state.tn.us
<b>HVA</b>	Mr. Hari Akunuri	(615) 532-0650	Hari.Akunuri@state.tn.us
<b>JAH</b>	Miss Julie Harse	(615) 532-0682	Julie.Harse@state.tn.us
<b>JCM</b>	Mr. Jim McAdoo	(615) 532-0684	Jim.McAdoo@state.tn.us
<b>JCMa</b>	Ms. Judy Manners	(615) 532-0715	Judy.Manners@state.tn.us
<b>JDE</b>	Mr. Doug Ezell	(615) 532-0648	Doug.Ezell@state.tn.us
<b>MTS</b>	Ms. Maybelle T. Sparks	(615) 532-0651	Maybelle.Sparks@state.tn.us
<b>PJH</b>	Mr. Paul Higgins	(615) 532-1178	Paul.Higgins@state.tn.us
<b>RDB</b>	Mr. Robert D. Baker	(615) 532-0710	Robert.D.Baker@state.tn.us
<b>REA</b>	Mr. Bob Alexander	(615) 532-0659	Robert.Alexander@state.tn.us
<b>SEF</b>	Ms. Souraya Fathi	(615) 532-0485	Souraya.Fathi@state.tn.us
<b>TLT</b>	Mr. Trent Thomas	(615) 532-0700	Trent.Thomas@state.tn.us
<b>VMJ</b>	Mr. Vojin Janjic	(615) 532-0670	Vojin.Janjic@state.tn.us

<b>WDM</b>	Mr. Wade Murphy	(615) 532-0666	Wade.Murphy@state.tn.us
<b>WML</b>	Mr. Mike Lee	(615) 532-0712	Mike.Lee@state.tn.us

### **State of Tennessee Antidegradation Policy:**

Antidegradation determinations have been made in regard to the permits referenced in this Public Notice. Tennessee's Antidegradation Statement is found in Chapter 1200-4-3-.06 of the Rules of the Tennessee Department of Environment and Conservation. The primary purpose of the antidegradation policy is to establish a greater level of protection for those waters that are identified to be of high quality. Generally, there are two types of high quality waters. Some high quality waters are those at near pristine conditions. These Outstanding National Resource Waters (ONRWs) are specifically designated by the Water Quality Control Board and are afforded the greatest level of protection. No new discharges or expansion of existing discharges are allowed to result in degradation of the existing water quality. Waters determined to be high quality due to specialized uses and/or unique features and are identified by the Department as Exceptional Tennessee Waters are also protected against degradation.

Some degradation may be allowed in the Exceptional Tennessee Waters only if the Water Quality Control Board deems it economically and socially necessary. Other surface waters not specifically identified and/or designated as high quality are referred to as waters with available or unavailable conditions. Generally, new discharges or increases in existing discharges may be allowed in waters not identified as ONRWs or Exceptional Tennessee Waters. The Division of Water Pollution Control's evaluation of such discharges may include the following provisions:

- The proposed lowering of water quality by the discharge is necessary for economic growth or community benefit; the proposed discharge can not be mitigated by reasonable pollution prevention measures; and
- There is no other reasonable non-discharge alternative available to prevent the new/increased discharge to waters with available or unavailable conditions.

In all cases, the proposed discharge must meet water quality standards and fully protect all classified uses. Information used by the Division of Water Pollution Control in evaluating any of the above provisions is available upon request.

### **State of Tennessee Policy of Non-Discrimination:**

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor L & C Tower, Nashville, TN 37243, 1-888-867-7455. ADA inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

**Please bring this notice to the attention of persons you believe will be interested.**